

02369.012215



#3 R GP 2872
7-24-02

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Naosato TANIGUCHI, et al.) : Examiner: A. Chang
Application No.: 09/836,368) : Group Art Unit: 2872
Filed: April 18, 2001) :
For: METHOD AND APPARATUS FOR) : July 15, 2002
STEREOSCOPIC IMAGE DISPLAY) : (Monday)

Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Sir:

Applicants respectfully traverse the election of species requirement set forth in the Office Action dated June 14, 2002.

Initially, Applicants note that Claims 32 and 34 are included in both groupings of claims listed by the Examiner, and other claims are not mentioned at all.

Further, Applicants submit that the election of species requirement is not well founded. A careful review of the subject application reveals that the various embodiments are so closely related as to not require separate fields of search. Accordingly, neither Applicants nor the U.S. Patent and Trademark Office should be put through the trouble and expense entailed in multiple filing and prosecution. In addition, Applicants submit that the public-at-large should not be required to obtain and study several patents in order to have available all of the issued patent claims covering the invention.

RECEIVED
JUL 16 2002
TECHNOLOGY CENTER 2800

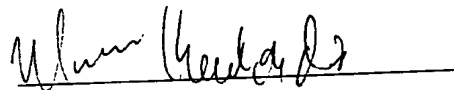
Still further, the making of an election species is not mandatory in all instances where it is possible to do so. Rather, the Examiner may use his discretion and choose not to make an election of species where circumstances warrant. It is believed that such is the case in the subject application. Therefore, Applicants request, under 37 C.F.R. § 1.143, that the Examiner reconsider and withdraw the election requirement set forth in the above-noted Office Action.

Nevertheless, in order to comply with the requirements of 37 CFR § 1.146, and MPEP § 809.02(a), Applicants provisionally elect, with traverse, Species I. It is respectfully submitted that at least Claims 1-5, 13-15, and 27-38 read on the elected species.

Applicants further submit that the subject application is in condition for allowance. Favorable consideration and early passage to issue are requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



Attorney for Applicants
Michael E. Kondoudis
Registration No. 42,758

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200
MEK/cmv